

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

Rec'd INTA TC 24 MAR 2005

To:

OKAMOTO, Hiroyuki
c/o AI ASSOCIATION OF PATENT AND
TRADE MARK ATTORNEYS
Sun Mullion NBF Tower, 21st Floor
6-12, Minamihommachi 2-chome, chuo-ku
Osaka-shi, Osaka 541-0054
JAPON

Date of mailing (day/month/year)
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903007PCT

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Applicant

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IMPORTANT NOTIFICATION

International filing date (day/month/year)
03 July 2003 (03.07.2003)

DAIHATSU MOTOR CO., LTD. et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, CO, EP, GH, KG, KP, KR, MK, MZ, RO, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

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3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

RECEIVED

FEB 25 2005

DICKINSON WRIGHT

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No. +41 22 740 14 35

Authorized officer

Yoshiko Kuwahara

Facsimile No. +41 22 338 90 90

Translation

PATENT COOPERATION TREATY

PCT

Rec'd PCT/PTO 24 MAR 2005

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 903007PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/008438	International filing date (day/month/year) 03 July 2003 (03.07.2003)	Priority date (day/month/year) 09 July 2002 (09.07.2002)
International Patent Classification (IPC) or national classification and IPC C01G 55/00, 51/00		
Applicant DAIHATSU MOTOR CO., LTD.		

- This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 3 sheets, including this cover sheet.
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
These annexes consist of a total of _____ sheets.

- This report contains indications relating to the following items:
 - ☒ Basis of the report
 - ☐ Priority
 - ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Lack of unity of invention
 - ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Certain documents cited
 - ☐ Certain defects in the international application
 - ☐ Certain observations on the international application

Date of submission of the demand 25 November 2003 (25.11.2003)	Date of completion of this report 26 May 2004 (26.05.2004)
Name and mailing address of the IPEA/IP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the claims:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the drawings:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.
 These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement			YES
Novelty (N)	Claims		NO
	Claims	1-7	
Inventive step (IS)	Claims		YES
	Claims	1-7	NO
Industrial applicability (IA)	Claims		YES
	Claims	1-7	NO
	Claims		

2. Citations and explanations

- Document 1: JP 61-191518 A (Nippon Soda Co., Ltd.) August 26, 1986
 Document 2: JP 2000-143251 A (Mitsubishi Materials Corp.) May 23, 2000
 Document 3: JP 06-100319 A (Toyota Central Research and Development Laboratories) April 12, 1994
 Document 4: JP 08-217461 A (Daihatsu Motor Co., Ltd.) August 27, 1996
 Document 5: JP 61-232217 A (Nippon Soda Co., Ltd.) October 16, 1986

(1) Claims 1-2, and 7

Based on the descriptions in documents 1-5, the inventions of claims 1-2, and 7 lack novelty. The cited locations in each of documents 1-5 in the international search report describe the "process for producing a perovskite composite oxide" by performing a "heat treatment process" after "mixing the organometallic salts of the elemental ingredients constituting the perovskite composite oxide" and "preparing the precursors of those oxides."

(2) Claims 3-6

Based on the descriptions in documents 1-5, the inventions of claims 3-6 lack novelty. In the expressions "metal alkoxide" and "selected from a group consisting of hydrolyzable organometallic compounds of the metals Ti...Mn and carboxylic acids of the metals Mg...Mn" (claims), document 1 describes the "alkoxide of the element" of claim 3, the "coprecipitate of the salt of the element or citric acid complex of each element" of claim 4, the "noble metal comprising part of the elemental constituents" of claim 5, and the "metal complex of an elemental constituent formed from at least one item selected from a group in which the organometallic salt of the elemental constituent is the organic carboxylate and/or β -diketone compound, β -ketone ester compound, or β -dicarboxylic acid ester of that elemental constituent" of claim 6. The cited locations in each of documents 2-5 in the international search report contain similar descriptions.